

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CAREMARK, INC., d/b/a CAREMARK THERAPEUTIC  
SERVICES,

Civil Action No.:  
07 Civ. 5941 (LTS) (FM)

Plaintiffs,  
-against-

**DECLARATION OF  
JOHN T. SEYBERT**

UNITED HEALTH CARE, ANCILLARY CARE  
MANAGEMENT, and THE CINTAS CORPORATION  
HEALTH PLAN,

**DOCUMENT  
ELECTRONICALLY FILED**

Defendants.  
-----X

JOHN T. SEYBERT, pursuant to 28 U.S.C. §1746(2) declares the following:

1. I am an associate with Sedgwick, Detert, Moran & Arnold LLP, counsel for United HealthCare Insurance Company (“UHI”), incorrectly sued herein as United Health Care. I am personally familiar with the pertinent facts raised by plaintiff’s motion based on my review of the records in this matter and my representation of defendant UHI.

2. Annexed hereto as Exhibit “A” is a printout from the New York State Department of State Division of Corporations Database identifying defendant Ancillary Care Management, Inc. as a Delaware Corporation with its principal place of business in Minnesota.

3. Annexed hereto as Exhibit “B” is a printout from the New York State Department of State Division of Corporations Database identifying defendant Cintas Corporation as a Nevada Corporation with its principal place of business in Ohio.

4. Annexed hereto as Exhibit “C” is a printout from the New York State Department of State Division of Corporations Database identifying plaintiff Caremark Inc. as a California Corporation with its principal place of business in Illinois.

5. In a letter dated July 17, 2007, I requested that plaintiff’s counsel withdraw his motion for remand of this action because UHI had also timely removed this matter on the

additional grounds of diversity of citizenship. A true and correct copy of the letter is annexed hereto as Exhibit "D."

6. Plaintiff's counsel has not agreed to withdraw plaintiff's motion for remand.

Dated: New York, New York  
July 25, 2007

I declare under penalty of perjury that the foregoing  
is true and correct.

s/  
JOHN T. SEYBERT (JS-5014)

**CERTIFICATE OF SERVICE**

I, JOHN T. SEYBERT, hereby certify and affirm that a true and correct copy of the attached **DECLARATION JOHN T. SEYBERT** was served via ECF and Regular Mail on this 25th day of July, 2007, upon the following:

Abraham Wax, Esq.  
Abraham Wax, P.C.  
Attorney for Plaintiff  
750 Third Avenue  
New York, NY 10017

s/  
\_\_\_\_\_  
JOHN T. SEYBERT (JS-5014)

Dated: New York, New York  
July 25, 2007